

# DEPARTMENT OF PERSONNEL & ADMINISTRATION

## Division of Central Services

### 1 CCR 103-1

#### CENTRAL SERVICES RULES

##### Statement of Basis, Purpose and Authority

The purpose of these rules is to define the relationship between the Division of Central Services and State agencies that use services provided by the Division of Central Services. Statutory authority exists in § 24-30-1101 C.R.S. (2003).

[Note: the above statement is not part of the rules themselves.]

##### 1.00 Division of Central Services Waivers

###### 1.10 Types

###### .01 Service Equipment and Software Related to Services

Service equipment procurement that require waivers include, but is not limited to, postage meters, mail slitters, candler, addressing equipment, folding equipment, microfilm equipment, high speed scanners, large format scanners, hand held scanners, printing presses, plate makers of any type, bindery equipment and office copiers. A waiver is also required to procure any software required to use such service equipment; this waiver is required even if the agency has already acquired the service equipment.

###### .02 Personal Services

Personal services related functions that require waivers include, but are not limited to, hiring personnel, whether full time, temporary, or an agency, to perform services related to printing, imaging, binding, mail, microfilm, scanning, data entry, document conversion, document management, graphic arts, and fleet management.

###### .03 Services

Services requiring waivers include, but are not limited to, printing, bindery, imaging, mail related services, microfilm, scanning, data entry, document conversion, document management related services, graphic arts and fleet management.

###### 1.20 Requests

###### .01 Agencies must request permission in writing for a waiver from the Division of Central Services.

###### .02 Requests are reviewed on a project specific basis.

###### .03 Requests must include the key financial, quality or service rationale for the request as well as enough backup documentation to allow for an adequate evaluation.

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### **1.30 Approvals**

- .01 Approval will be provided to the requesting agencies in writing.
- .02 Approvals are time limited on a project specific basis.
- .03 Approvals are subject to periodic review by the Division of Central Services and subject to reporting requirements by the responsible agency.
- .04 Other conditions and requirements associated with the approval will be outlined in the written approval.

### **1.40 Denials**

Denials will be provided to the requesting agency in writing and will include the rationale for the denial and alternative solutions.

## **CENTRAL SERVICES RULES**

### **2.00 Interagency Motor Pool**

#### **2.10 Responsibilities**

#### **2.11 Division of Central Services' Responsibilities**

The Division of Central Services shall be responsible for the provision of vehicles in good operating condition, for use by state agencies at a competitive cost.

#### **2.12 State Agency Responsibilities**

##### **.01 General Requirements**

Employees of the state entrusted with interagency motor pool vehicles are responsible for the proper care, operation, maintenance, and protection of the vehicle while the vehicle is under rental by the employing and using agency. It is the responsibility of the requesting agency to ensure that the agency's employees who use an interagency motor pool vehicle are fully acquainted with the requirements of these rules.

##### **.02 Driver's License**

Assignment of interagency motor pool vehicles will be made only to state employees who hold a valid driver's license. It is the responsibility of the requesting agency to verify the license.

#### **2.13 Operator Responsibilities**

A state employee who operates an interagency motor pool vehicle assumes full responsibility for the vehicle until its return to the interagency motor pool. The operator assumes all the responsibilities outlined in section 4.20 through 4.44. This includes personal possession of a valid driver's license, proper care of the vehicle, storage charges, and personal responsibility for parking and traffic violations. State employees issued a vehicle are responsible for exercising reasonable diligence in the care of the vehicle at all times. Failure to take proper care of an interagency motor pool vehicle may be justification to refuse further vehicle issuance.

#### **2.20 Use Charges**

Use charges will be billed to the user agencies when the vehicle is returned to the interagency motor pool or on a monthly basis if the vehicle is being used for on an extended basis. These use rates will be as currently in effect and published by the Division of Central Services.



## CENTRAL SERVICES RULES

### 3.00 Commuting Use of State-Owned Motor Vehicles by State Officers and Employees

#### 3.10 Definitions

As used in this rule and regulation:

- .01 "Commuting means the authorized use of state-owned motor vehicles by state officers or employees for the purpose of traveling between the employee's official work station and residence. Authorized commuting or other approved use shall be of two types:
  - a. "Non-reimbursable" means that the employee will not be required to reimburse the state for the commuting or other approved use of state-owned motor vehicles.
  - b. "Reimbursable" means that the commuter is required to reimburse the State for the commuting use of state-owned motor vehicles.
- .02 "Control employee" of a government employer is any:
  - a. Elected official, or
  - b. Employee whose compensation is at least as much as that paid to a federal government employee holding a position at Executive Level V as specified by annual IRS guidelines (\$128,200 as of 2004).
- .03 "Convenience of the State" means situations in which: (1) compelling issues of public safety or welfare; or (2) standards of efficient public service may make necessary, suitable, and fitting the execution of certain governmental responsibilities without unnecessary delay or lapse of time.
- .04 "De minimis" means the personal use of a State-owned motor vehicle that is of so small a value that accounting for it would be unreasonable or administratively impractical. De minimis personal use of a State vehicle would be, for example, a stop for lunch between two official business destinations. "De minimis" use does not include the following examples: use of a State-owned motor vehicle for the purpose of transporting any person including family members, friends, or relatives; recreational use of a state-owned motor vehicle; transporting or storing personal property of any kind that is not related to commuter's job performance; use of a state-owned vehicle in support of any charitable philanthropic, religious, political or fraternal entity or activity; any unlawful use of a state-owned motor vehicle. These are examples of prohibited use that are not "de minimis" and such prohibited use is not limited to these examples only.
- .05 "Director" means the "Director of Central Services."
- .06 "Executive Director" means the head of any principal department, as described in section 24-1-103 C.R.S. (2003), agency, or the head of any institution of higher education.
- .07 "Peace officer is a person as defined by 16-2.5-101 C.R.S. (2003)

- .08 "Official work station" means the site to which the state officer or employee reports in order to discharge officially assigned duties, including a state vehicle or the employee's home. This includes but is not limited to oil inspectors and auditors.
- .09 "Qualified non-personal use vehicle" is any vehicle the employee is not likely to use more than minimally for personal purposes because of its design. These would include, but are not limited to, clearly marked police and fire vehicles, unmarked vehicles officially authorized for use by law enforcement officers, ambulances, hearses, vehicles designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds, delivery trucks with seating for the driver only, or driver plus a folding jump seat, a passenger bus with a capacity of at least 20 passengers used for its specific purpose, school buses, tractors and other special purpose farm vehicles.
- .10 "State officers and employees" ("state employees") means any person as defined by 24-10-103(4), C.R.S. (2003)
- .11 "State-owned motor vehicle" is as defined in section 24-30-1102(6), C.R.S. (2003) and includes all motor vehicles so defined that are leased to the State.

### **3.20 Personal Use Prohibited**

Use of state-owned or leased motor vehicles by state officers or employees for any personal purpose, is prohibited. Authorized commuting, or de minimis personal use as defined above, is not prohibited.

### **3.30 General Principles**

Non-reimbursable commuting or other approved use, and reimbursable commuting will be governed by the following general principles:

- .01 Commuting or other approved use will not be authorized unless it can be shown to the satisfaction of the state agency's executive director that it promotes a legitimate, nonpartisan, governmental interest of the State of Colorado; the efficient operation of the State Fleet Management (SFM) Program; and, that it is cost effective to the state agency authorizing or requesting authorization of commuting or other approved use.
- .02 Commuting or other approved use will not be authorized for any reason other than is necessary to conduct official State of Colorado business.
- .03 The executive director shall declare which positions are authorized to use a state vehicle for commuting or other approved use purposes. The executive director shall also declare when an employee starts and ends his/her authorized use.

### **3.40 Limitations and Justifications**

The following criteria limit or justify authorized commuting. Authorized commuting that does not qualify as non-reimbursable use or commuting is reimbursable commuting, and reimbursement shall be payable as required in 3.52 of this rule as appropriate.

- .01 Non-reimbursable commuting may be permitted, for the convenience of the State, when the motor vehicle is a qualified non-personal use vehicle, and is not likely to be used more than a de minimis amount for personal purposes.
- .02 To qualify for non-reimbursable commuting, the driver of an unmarked police vehicle must qualify as a peace officer as defined in 3.10.07.

- .03 Reimbursable commuting may be permitted for any state employee who is on call at all times when the employee is not on a regular shift and must have access to a state-owned motor vehicle at his or her residence.
- .04 Reimbursable commuting may be permitted for any state employee who is required to commute to and/or from his or her official workstation for the convenience of the State and for bona fide non-compensatory business reasons.
- .05 De minimis commuting use will occur when, on occasion, a state employee takes a state-owned motor vehicle to his residence the evening prior to a planned business trip or the evening following an after-business-hours conclusion of a business trip. Reimbursement will not be required on these occasions.
- .06 Non-reimbursable use may be permitted when the state vehicle or the employee's home functions as the employee's official work station. Such use will not require reimbursement.

### **3.50 Authorization/Reimbursement**

State-owned motor vehicles may not be used for non-reimbursable use or commuting or reimbursable commuting without prior written authorization -- the Commuting Authorization Form -- submitted by the executive director of the principal department of the employee based on review and verification of the justification in accordance with section 24-30-1113, C.R.S. (2003)

- .01 Authorization for both non-reimbursable use or commuting and reimbursable commuting will be granted for an indefinite period. Agencies are responsible for informing the Division of Central Services of any changes that might affect this authorization.
- .02 Authorized reimbursable commuting shall be reimbursed by the commuter at a rate of \$1.50 per one way commute for non-control employees, as defined by the Commuting Valuation Rule in IRS §1.61-21(f), and as published in IRS publication number 535, Business Expenses.
- .03 Authorized reimbursable commuting for control employees shall be reimbursed by the commuter by the Vehicle Cents-Per-Mile Rule as defined by IRS regulation §1.61-21(e), or by the Automobile Lease Rule as defined by IRS regulation §1.61-21(d), and as published in IRS publication number 535, Business Expenses.
- .04 State-owned motor vehicles authorized for any type of commuting will be returned to the commuter's agency during all extended periods of foreseeable non-use such as commuter's use of annual leave or sick leave.
- .05 The rate at which commuting is reimbursed can be zero, if such benefit is determined by the commuter's department to also approximate zero.
- .06 Reimbursement shall be for 20 days per calendar month.
- .07 Reimbursement shall be due and payable monthly by payroll deduction.

### **3.51 Procedures**

A State employee may request authorization for non-reimbursable use or commuting or reimbursable commuting by submitting a completed Commuting Authorization Form (supplied by the Fleet Management Program) to his or her executive director for approval. The executive director's authorization shall be conditioned solely upon applicant's compliance with this rule 3.00

and section 24-30-1113, C.R.S. (2003). The approved Commuting Authorization Forms must be forwarded to State Fleet Management.

- .01 A separate Commuting Authorization Form is required for each State employee requesting authorization.
- .02 Authorization is approved upon the basis of the individual employee and type of commuting or approved use requested, not by motor vehicle. Changes in motor vehicle assignment from like motor vehicle to like motor vehicle do not require reauthorization.
- .03 A Commuting Authorization Form signed by the employee's executive director must be mailed to SFM where it will be maintained on file for documentation and verification.
- .04 Any changes relative to driver information or commuter or other approved status must be reported immediately to SFM by the authorizing agency, and if applicable to their agency payroll contact.
- .05 SFM will send a verification of active approvals to the departments at least annually. The verification is to be reviewed and signed by the executive director for each department and returned to SFM.

### **3.52 Credit to Agency for Commuting Use**

Moneys derived from reimbursement on vehicles shall be deposited to the credit of the employee's agency.

### **3.53 Employment Contracts**

This rule 3.00 is applicable to employment contracts entered into after July 1, 1992 that stipulate the use of a State-owned motor vehicle by the contractor.

### **3.54 Enforcement**

- .01 Each department is responsible for reviewing and monitoring the status of every employee authorized for commuting or other approved use by their department. The status shall be reviewed for, but not limited to:
  - a. Driver compliance with the commuting rules and regulations
  - b. Ongoing validity of the justification for the authorization
  - c. Changes in driver's information and commute or other approved use status
- .02 Each department is responsible for imposing restrictions or could entirely revoke a employee's authorization if that agency determines that the employee:
  - a. Has abused or failed to comply with the commuting rules and regulations,
  - b. Fails to reimburse his/her agency in the form of a monthly payroll deduction (where applicable)
  - c. Consistency fails to provide updated documentation that would affect the status or his/her authorization.

- .03 The Executive Director of the Department of Personnel & Administration reserves the right to revoke authorization or impose restrictions to any Department or agency that consistently does not meet criteria or ignores requests from SFM for information in order to bring the employee(s) authorization records into full compliance with the Commuting rules and regulations.

**3.55 Appeal**

Agencies wishing to appeal determinations made under 3.54 of this rule may appeal in writing within (ten) 10 working days of the Director's decision to the Executive Director of the Department of Personnel & Administration, who will respond in writing with a decision within 30 calendar days. This decision will be binding and final.

**3.56 Financial Responsibility**

A State agency may be held financially responsible for any reimbursement or other cost required of its employees, under the provisions of this rule, but not timely paid.

## **CENTRAL SERVICES RULES**

### **4.00 Motor Vehicle Acquisition, Operation, Maintenance, Repair, and Disposal**

#### **4.10 Vehicle Acquisition**

#### **4.11 Size of State Fleet**

The size of the state fleet may be increased only as a result of authorized new or expanded programs.

#### **4.12 Additional/Replacement Vehicles**

Requests from any state agency for additional or replacement vehicles will be handled as follows:

- .01 Vehicle Request Form. State agencies requesting an additional vehicle on permanent assignment from State Fleet Management (SFM) will be required to complete a Vehicle Request Form. Supporting data should be submitted with the completed form and should include copies of recent legislation, Long Bill and any other supporting data specifically addressing the new or expanded program for which vehicle support is requested.
- .02 Short-term Requirements. Short-term needs, such as seasonal requirements, if approved, will be met with existing vehicles, as available. Requests for short-term assignments will be made by the requesting agency's completing and submitting to SFM a Vehicle Request Form.
- .03 Vehicle Availability. If requests for short-term assignments are approved, but the vehicles are not available within the existing fleet, SFM will work with the requesting agency to acquire the vehicle by commercial lease for a specified time period. SFM cannot guarantee the availability of additional vehicles when required.
- .04 State Fleet Management's Budget Request. If the request is approved, SFM will provide from its existing fleet a temporary vehicle, if available, and will include in its next budget request a dollar amount sufficient to purchase the permanent vehicle. Such budget request may be made in the form of a Supplemental Budget Request, where appropriate and applicable, rather than waiting for the next annual budget cycle. When existing vehicles are assigned on a temporary basis, every effort will be made to assign vehicles appropriate for the intended use, and only vehicles that are found to be in a safe operating condition will be assigned.
- .05 Grant Funded Vehicles. Agencies will notify SFM of those grants that will have a material impact on fleet acquisition. Where grants continue more than one fiscal year and no accommodations are made by the agency to replace original grant vehicles, SFM will not continue to maintain these vehicles when it is not cost-effective.
- .06 Fiscal Responsibility. Each agency must work with SFM to ensure that adequate funding levels are determined, requested, and adhered to once approved. When vehicles are replaced, the agency will be held fiscally responsible for any fixed term obligations unless otherwise agreed upon in advance with SFM. Fiscal planning and responsibility will include monthly fixed payments to cover the fixed term obligations for the cost of the vehicle and attachments plus a monthly fixed management fee. Operating costs to cover fuel, maintenance, and accident expenses are charged by SFM on a monthly cost per mile basis.

#### **4.13 Minimum Miles Per Year**

SFM will not acquire (purchase or lease) any vehicle for permanent assignment unless it can be demonstrated that each vehicle requested will meet the minimum required mileage for the utilization classification corresponding to the vehicle's intended work function.

#### **4.14 Purchasing Rules**

- .01 All vehicle acquisitions, whether by purchase or lease, will be made in compliance with the State's existing purchasing procedures and rules. Purchase requisitions will be submitted by SFM to the State Purchasing Division for acquisition of state vehicles.
- .02 SFM will provide each agency, through its designated Vehicle Coordinators, various reports to identify vehicles for replacement as part of the annual state budget cycle. Each year, by a date specified by SFM, all pending vehicle purchases for the current fiscal year will be finalized. Any changes (vehicle types, options, etc.) to this list will not be accepted by SFM after this date, unless extraordinary circumstances support change requests.
- .03 In addition to vehicle replacements, agencies will submit and identify additional vehicle needs requests that may result from expanded programs or additional funding. These requests will be reviewed by SFM and are subject to legislative approval for permanent assignment.

#### **4.15 Size of Vehicles**

The size of any motor vehicle shall not be greater than is necessary to accomplish its purpose. All efforts will be directed toward acquiring cost-effective vehicles.

#### **4.16 Vehicle Selection/Life-Cycle Costing**

- .01 The primary consideration in selecting the appropriate vehicles is to match the vehicle to the job it is expected to perform. Vehicles that meet usage requirements as well as service and maintenance requirements will be given preference.
- .02 Aside from the initial cost of the vehicle when purchased new, other factors must be considered, including:
  - a. Operating and Maintenance Costs. The anticipated cost of fuel and maintenance.
  - b. Resale Value. The resale value (salvage value) of the vehicle, after its useful life is exhausted.
  - c. Fuel Economy. Low energy consumption shall be a favorable factor in determining the low responsible bidder.

#### **4.17 Vehicle Specifications**

- .01 Vehicle specifications will be written with the goal of standardizing vehicle purchases as much as possible.
- .02 Vehicle purchases shall be based on specifications as requested by the state agency, developed in cooperation and consultation with the Division of Central Services and the Motor Vehicle Advisory Council.
- .03 SFM will provide base level vehicles with agency-justified options.

#### **4.18 License Plates, Titles, and Registrations**

- .01 As new vehicles are received into the Program, these vehicles will be registered with the Department of Revenue, and license plates issued by the Department of Revenue will be assigned and attached to each vehicle.
- .02 "Undercover plates" will be issued only for vehicles directly involved in undercover law enforcement activities, where the employee's identity must be kept secret, or as otherwise allowed by Department of Revenue policy.
- .03 Personalized plates are not authorized for state-owned vehicles, regardless of who pays for the plates.
- .04 Assigned license plates may not be moved from one vehicle to another.
- .05 In the event license plates are lost or stolen, the Agency will have new plates issued with a new number, and will notify SFM of the change. SFM's records will be adjusted to reflect the change, and a new fuel card will be ordered.
- .06 All vehicle titles, regardless of ownership, will be kept by SFM. Titles to vehicles owned by other state agencies will be returned to the state agency for purposes of vehicle disposal. Following such disposal, appropriate sale data, including date of sale, sale price, and name of buyer, will be promptly reported to SFM. The title to any unsold vehicle will be returned to SFM and corrected in the database.
- .07 Annually, the Department of Revenue, Motor Vehicle Division, will mail to the vehicle user a registration renewal notice. The registration renewal and, where required, the emissions test will be the responsibility of the agency to which the vehicle is assigned and should be handled like other maintenance and repairs.
  - a. If the location to which a vehicle is assigned is changed, SFM and the Department of Revenue, Motor Vehicle Division, must be notified of the change and given a new mailing address to which future renewal notices may be sent. Such notification will be the responsibility of the using agency.

#### **4.19 Alternative Fueled Vehicles**

As requirements are set forth to implement increased usage of alternative fueled vehicles (AFV's), each agency will work with SFM to use and promote AFV's to the extent practicable to meet State and Federal requirements.

#### **4.20 Vehicle Operation**

#### **4.21 Use of State-Owned Vehicles**

State-owned vehicles are to be used for official state business only, and not for personal purposes.

#### **4.22 Commuting**

The use by a State employee of any State-owned vehicle for commuting must be requested and approved in accordance with the motor vehicle commuting rules.

#### **4.23 Traffic Rules**

All state employees are expected to operate the vehicle in a courteous manner and are required to comply with existing traffic laws. Any traffic citations issued to the driver, as a result of non-compliance, are the responsibility of the driver.

#### **4.24 Alcohol/Drugs**

No state-owned vehicle will be operated by any individual who is under the influence of alcohol or drugs. Section 42-4-1301, C.R.S. (2003). Smoking, or other tobacco use, is not permitted in vehicles.

#### **4.25 Driver's License**

All authorized drivers of state-owned vehicles enrolled in the SFM Program must have in their possession a valid driver's license.

#### **4.26 Driver's Responsibilities**

- .01 Drivers of state-owned vehicles must assume certain basic responsibilities with regard to the vehicle with which they are entrusted. These responsibilities include proper care, operation, maintenance and security of the vehicle, required emissions inspections, fueling, checking fluid levels, cleaning, safety, etc.
- .02 State-owned vehicles may not be used for personal errands, including transporting family members or pets. An exception to transporting family members may be granted in those instances where that family member is functioning in an official state capacity. Operators of state-owned vehicles may not pick up hitchhikers or provide transportation for any unauthorized individual. In situations where public safety is a concern, as determined by a state employee on official state business, unauthorized individuals may be provided assistance including transportation to the nearest location where there is no longer an unsafe situation.
- .03 State-owned vehicles may not be loaned to or driven by any unauthorized individual.
- .04 All drivers and/or Vehicle Coordinators are expected to read and become familiar with the contents of the manufacturer's Operator's Manual, and the SFM Vehicle Operator's Manual, both of which are furnished with each SFM vehicle.

#### **4.27 Taking State-Owned Vehicles Out of the State or Out of the Country**

- .01 When approved by the agency employing the driver, state-owned vehicles may be taken out of the State, as required in the performance of official duties.
- .02 Vehicles may not be taken out of the United States without prior written notification and explanation from the state agency to the State Fleet Manager. Agencies taking vehicles out of the United States will be responsible for obtaining any necessary additional liability and collision insurance, at their expense, before the vehicle is taken across the border. Should the vehicle become inoperable (either because of accident damage or mechanical problems) while out of the country, the operator should contact his/her employing agency and SFM for assistance. Agencies will be responsible for any additional repair or service costs that are in excess of typical costs.

#### **4.28 Fuel Purchases**

All drivers of state-owned motor vehicles are expected to comply with the following regarding the purchase of fuel for state vehicles.

- .01 State fueling systems shall be used wherever practical. In the absence of such facility, only self-service islands of retail outlets shall be used. Exceptions to this policy may be granted only because of driver's physical limitations or emergency needs. The driver's supervisor shall document such exceptions. All purchased fuel will be of a regular grade of gasoline when available. Premium grades maybe authorized when specifically required by the manufacturer.
- .02 State agencies with fuel dispensing capability are required to bill SFM on a regular, monthly basis. Fuel issues may not be accumulated for longer periods. All invoices will contain, by license and/or asset number, date of fueling, number of gallons, price per gallon, and total cost.
- .04 SFM also furnishes a fuel credit card with each vehicle assigned. This credit card is honored by most major oil companies and can be used for purchasing fuel at commercial outlets, or as specified by SFM. Personal items may not be purchased with the fuel credit card. The fuel credit card is valid only for the vehicle described on the front of the card, and the cards may not be interchanged. No other State agency is authorized to issue fuel credit cards for vehicles in the SFM Program.
- .05 Where necessary, an employee may pay for fuel using personal funds and receive reimbursement from SFM through his/her own agency. Such reimbursement will be made only when a properly itemized and signed receipt is provided.

#### **4.29 Accident Reporting**

Drivers of state vehicles shall exercise every precaution to prevent damage to the vehicle. The driver of the vehicle is responsible for notifying the following persons immediately, either in person or by telephone, of any accident in which the vehicle is involved: State Fleet Management; employee's official supervisor; and state, county, and local authorities as required by law. The vehicle driver shall record information pertaining to the accident on an accident report form DRM-01 as provided in the SFM Vehicle Packet. This form must be submitted to the vehicle driver's official supervisor for review within 48 hours of the accident. This form, as filed by the driver and signed by the supervisor, shall be turned in to the State Fleet Management and the Division of Risk Management within 72 hours of the accident. Accidents involving personal injuries must be reported to SFM within 24 hours of the accident (or on the next regular business day) by telephone and followed up with a written report. The driver must file a "State of Colorado Report of Motor Vehicle Accident" (DR-2301) within ten days of an accident if the vehicle was damaged, or the accident resulted in bodily injury or death.

#### **4.30 Vehicle Maintenance**

##### **4.31 Preventative Maintenance**

All state-owned vehicles will be serviced on a regular basis, at frequencies and intervals appropriate for the vehicle assignment as determined by SFM. Repairs required because of failure to follow the scheduled preventive maintenance may be the responsibility of the agency to which the vehicle is assigned. SFM will authorize all vehicle services when needed.

#### **4.32 Purchasing Tires & Glass**

The purchase of replacement tires and glass will be governed by instructions published by SFM in the Vehicle Operator's Manual, furnished with each vehicle. Any exceptions to this policy must be approved in advance by SFM.

#### **4.40 Vehicle Repairs**

#### **4.41 Vehicle Condition**

No state employee is expected to drive a State vehicle if the condition of the vehicle is determined to be unsafe. If an unsafe mechanical condition is discovered, it should be reported and corrected immediately. The driver should refer to the Vehicle Operator's Manual for instructions on how to report vehicle mechanical problems.

#### **4.42 Procedure for Obtaining Repair Authorization**

- .01 If the vehicle's preventive maintenance schedule is adhered to, many otherwise needed repairs can be avoided. If repairs are needed, the driver should consult the Vehicle Binder, furnished with each vehicle. The Vehicle Binder, prepared by SFM, contains specific instructions for obtaining the necessary authorization for repairs.
- .02 Calls requesting repair authorization will be handled by SFM directly. The request for repair authorization must be made--and authorization given--BEFORE any repairs are begun. The cost of work performed without proper authorization may be billed to the using agency.
- .03 Where "Garage Agreements" have been entered into and signed by authorized representatives of SFM and another state agency, and where the provisions of any such agreement differ from the instructions in this paragraph, the procedures outlined and agreed to in the "Garage Agreement" will take precedence over the instructions in this paragraph. However, the intent of this paragraph and any garage agreement in effect shall have a common goal of cost-effective maintenance and repair of state vehicles.

#### **4.43 Process for Determining if Repairs are Justified**

Prior to authorizing any major mechanical repairs or major body repairs, SFM will make a determination as to whether the cost of the repair is economical and in the best interest of the State. Such determination is based, in part, on a process that compares the adjusted book value of the vehicle with the estimated cost of repairs. Other factors considered include the demand for uninterrupted vehicle support, the availability of a suitable replacement vehicle, the anticipated remaining life of the vehicle due to age, mileage, and/or scheduled replacement, etc.

#### **4.44 Selection of Repair Facility**

SFM will refer drivers to authorized state owned or private repair facilities. In the case of an emergency occurring during hours that SFM is not available, the driver may obtain the minimum repairs necessary to continue the trip or wait until regular business hours. Drivers should be aware that obtaining repair services after regular business hours may not be possible.

#### **4.50 Vehicle Disposal Standards**

##### **4.51 Disposal Criteria**

SFM will review and approve all requests for vehicle disposal. One or more of the following shall be used in considering the disposal of state motor vehicles:

- .01 No Longer Needed - The State no longer has a need for the vehicle.
- .02 Minimum Replacement Criteria - State-owned vehicles will not normally be replaced until they meet the replacement criteria established by the State Fleet Management Program (considering mileage, cost, safety, and other relevant criteria).
- .03 Uneconomical to Repair - Vehicles that have sustained extensive damage or vehicles that require substantial mechanical repairs, may be disposed of earlier, if it can be shown that the cost of repairs would be uneconomical and the State's interests would be better served by disposing of the vehicle rather than repairing it.

##### **4.52 Methods of Disposal**

After a vehicle has met replacement criteria, the vehicle may be disposed of by public auction. If other methods of disposal are required because of unusual circumstances (out-of-state location, etc.) the method of disposal must be approved in advance by SFM.

##### **4.53 Vehicle Turn In Requirements**

Prior to turning a vehicle in to SFM for disposal, the Agency should:

- .01 Assure that the vehicle is reasonably clean and has at least a 1/4 tank of fuel.
- .02 Remove two-way radios, phones, hands-free equipment, security cages, law enforcement lighting, and other special equipment.
- .03 Remove all decals and undercover plates (replace with the regular state plate)
- .04 If vehicle is assigned in a full emissions test area, an emissions test must be done no more than 14 days prior to the turn-in date.

#### **4.60 Reporting Requirements**

##### **4.61 Vehicle Coordinator**

- .01 Each agency will be required to designate an individual or individuals, who is/are knowledgeable about the agency's vehicle fleet, to serve as the Vehicle Coordinator. Such designation will be at the Department level if possible, but additional designations may be arranged by mutual agreement with SFM. The individuals so designated will be the contact persons through whom SFM will communicate Fleet related matters.
- .02 The Vehicle Coordinators will be the key contacts in coordinating the following (but not limited to):
  - a. Routine and special reports
  - b. Vehicle accident reports

- c. Preventive maintenance and repairs
- d. Verifying and/or correcting vehicle data
- e. Vehicle assignments and terminations
- f. Commuting privileges
- g. Vehicle needs and specifications
- h. DOR registrations and emissions compliance
- i. Monthly mileage reporting
- j. Communicating with internal agency fiscal officers to ensure that agency funding levels for vehicle expenses are properly managed

#### **4.62 Monthly Vehicle Log Form**

- .01 For each vehicle permanently assigned, the using agency is required to furnish SFM with an accurate monthly odometer reading by a date specified by SFM.
- .02 If the odometer reading is not furnished to SFM by the specified monthly reporting date, the agency to whom the vehicle is assigned may be billed a default mileage. These odometer readings will be recorded on a pre-printed monthly Vehicle Log Form furnished by SFM, unless electronic submission of data is furnished in a format specified or approved by SFM.

#### **4.63 Preventive Maintenance Reporting**

- .01 Each agency is responsible for assuring that the preventive maintenance prescribed by SFM is followed for the vehicle(s) assigned to that agency.
- .02 Following the completion of a preventive maintenance service, each agency will report to SFM the following:
  - a. Date of Service
  - b. Odometer at time service was performed
  - c. Type of service

#### **4.64 Emissions Test**

- .01 All state-owned vehicles assigned to areas within the AIR Program area are subject to the emissions testing requirements of the State's AIR emissions Program.
- .02 If an emissions test is required and the state vehicle fails the emissions test, it will either be brought into compliance or the vehicle will not be driven. SFM will pay for the expenses incurred to bring a vehicle into compliance if the repairs are authorized in advance as per instructions in the SFM vehicle binder.
- .03 Each agency is responsible for monitoring the expiration date of the emissions sticker on the windshield and getting the emissions test performed when it is due. SFM will pay for required emissions tests.

#### **4.65 Responsibility**

Citations issued for expired emissions compliance are not the responsibility of SFM.

#### **4.70 Noncompliance**

#### **4.71 Accountability**

State agencies and/or individual employees may be held financially accountable for all costs resulting from the violation of these rules relating to the misuse of state-owned motor vehicles.

#### **4.72 Revocation of Assignment**

Noncompliance with these rules may be grounds for revocation of vehicle assignment.

#### **4.73 Disciplinary Action**

At the discretion of the employing agency, corrective and/or disciplinary action may be appropriate for State employees found to be in violation of these rules.

#### **4.74 Other Fees and Charges**

SFM reserves the right to charge an administrative fee or the full cost of repairs or service for any of the following:

- .01 Improper use of the fuel card
- .02 Failure to follow Turn in Requirements
- .03 Actions that void the vehicle warranty
- .04 Repeated failure to report mileage accurately and by the monthly deadline

#### **4.80 Acquisition by Operation of Law**

Agencies are notified that motor vehicles acquired by operation of law are, pursuant to section 24-30-1101, C.R.S. (2003), "State-owned motor vehicles" and are subject to Fleet Management Program oversight.

#### **4.81 Forfeiture**

- .01 The head of any state department, institution, or agency that comes into possession of a motor vehicle of the type described in section 24-30-1102, C.R.S. (2003) by operation of law including but not limited to seizure, confiscation, or forfeiture under sections 33-6-102, 16-13-506, C.R.S. (2003) or other law, shall report the following to the Director within 10 days of the vehicle's judicial forfeiture order or perfection of the State's right and interest in the vehicle:
  - a. Location of the motor vehicle.
  - b. A copy of the perfected Certificate of Title.
  - c. The name, address, telephone and FAX number of a responsible official contact within the agency.

- d. License plate number.
- e. Planned usage of the motor vehicle to include time lines.

## **CENTRAL SERVICES RULES**

### **5.00 Revocation of Assignment of State-Owned Motor Vehicles**

#### **5.10 Permanent Assignment of Vehicle**

#### **5.11 Definition**

A permanent assignment is defined as the issuing by State Fleet Management of a motor vehicle to any state agency for a period expected to exceed twelve continuous months. A short term assignment may exceed twelve months only if approved by SFM in advance.

#### **5.20 Restrictions on Assignment of Vehicles**

##### **.01 Favoritism**

Requests for assignment or reassignment of motor vehicles shall not be honored when the purpose of the assignment or reassignment is to provide a newer or lower mileage vehicle to a state officer or employee on the basis of rank, position, management authority, length of service, or other nonessential purpose.

##### **.02 Number of Vehicles**

Requests for additional vehicles will not be honored unless the request is based on documentation authorizing new or expanded programs.

#### **5.30 Basis for Revocation**

Revocation of assignment may occur when it has been reasonably determined by the State Fleet Manager that:

##### **.01 Unofficial Use**

The vehicle has been used for purposes other than official state business;

##### **.02 Failure to File Reports**

An agency fails to submit required reports or when the required reports that have been filed fail to meet the established standards as published by the Division, and such deficiencies are not cured within thirty calendar days after receiving notification from State Fleet Management of such deficiency;

##### **.03 False Information**

False information has knowingly and willfully been supplied on an application for permanent assignment, commuting reimbursement form, or other required report or form;

##### **.04 Required Signature**

An individual required to do so fails to sign all reports or forms submitted for vehicles permanently assigned and fails to cure the deficiency within thirty calendar days after receiving notification from State Fleet Management of such deficiency;

.05 Abuse

A State-owned motor vehicle has been abused;

.06 Accident Reports

Failure on the part of an employee or the employing state agency to file a proper vehicle accident report according to these rules; or

.07 Preventive Maintenance

Failure to follow the prescribed preventive maintenance frequencies, or failure to obtain necessary repairs as determined by State Fleet Management; failure to obtain annual emissions certification, where required; or

.08 Violation of Other Rules

A violation of other rules or regulations promulgated by the Division has occurred which warrants revocation of assignment as specified in those rules and regulations.

.09 Low Mileage

Failure of vehicles to meet the minimum annual mileage criteria based on the appropriate utilization classification.

**5.40 Procedure for Revocation of Assignment**

**5.41 Notice of Suspected Violation**

If the Director of the Division of Central Services determines, in accordance with paragraph 5.30 above, that there is sufficient cause for revocation, a written notice will be sent to the affected agency. The notice will identify the vehicle involved, outline the suspected violations which are considered causes for revocation, and request the affected agency to correct the situation within 30 calendar days.

**5.42 Revocation**

If, within 30 calendar days, the using agency fails to correct the conditions outlined in the written notice, the Director of the Division of Central Services, will notify the affected agency that the assignment of the vehicle is being revoked. If so notified, the affected agency will immediately return the vehicle to State Fleet Management.

**5.43 Appeals**

If the affected agency feels that revocation is unwarranted, the executive director, University or College President, or designee of such agency may appeal the decision of the Director of the Division of Central Services to the Executive Director, Department of Personnel & Administration, who will respond in writing with a decision within 30 calendar days. This decision will be binding and final.

**5.50 Reassignment**

**5.51 New Vehicle Request**

Requests for reassignment of a vehicle, following the revocation of assignment, shall not be honored until State Fleet Management is reasonably assured that the violation for which a vehicle was previously revoked will not recur.

## **CENTRAL SERVICES RULES**

### **6.00 Annual Verification of Minimum Mileage**

#### **6.10 Utilization Criteria**

#### **6.11 Minimum Annual Mileage**

A state-owned motor vehicle shall not be permanently assigned to any agency, state officer, or state employee if the vehicle is not likely to meet the minimum required mileage for the utilization classification associated with the vehicle's intended work function.

#### **6.20 Reporting Requirements**

#### **6.21 Utilization Reports**

Following the close of each fiscal year (using June 30 data), State Fleet Management will prepare and distribute, to each state agency, a listing of vehicles that have not met the required annual mileage for the appropriate utilization classification. Vehicles that have not been in their present use assignment long enough to establish a utilization pattern (less than six months) will not be included in the report.

#### **6.22 Low Mileage**

- .01 For each and every state-owned motor vehicle that does not meet the minimum mileage for the designated utilization classification, the using agency shall furnish State Fleet Management with justification for continued retention of the vehicle.
- .02 If the responsible state agency cannot reasonably justify such lower mileage, permanent assignment may be revoked immediately.
- .03 The following may be considered as justification for low mileage:
  - a. Partial year classification to a higher utilization code.
  - b. Errors - Coding or mileage reporting error that can be validated through documentation.
  - c. Economics - Low mileage utilization, but more cost effective than alternatives.
  - d. Disposal Pending - Vehicle will not remain on inventory records for more than six months.
  - e. Vehicle Not Available – Vehicle could not be driven for extended period due to driver illness or due to very lengthy repair time.
  - f. Other Unique Situations – SFM will work with the MVAC to evaluate unique situations on a case-by-case basis.

## **CENTRAL SERVICES RULES**

### **7.0 Opting Out of the State Fleet Program (Higher Education)**

An institution of higher education may withdraw from the State Fleet Management (SFM) Program by meeting the following requirements:

- .01 The head of the institution must notify the Executive Director of the Department of Personnel & Administration in writing of the institution's wish to withdraw at least six months prior to the end of the current fiscal year.
- .02 The institution must complete all of the necessary transition requirements established by State Fleet Management so that the effective date of withdrawal from the Program may take place on July 1 of the following fiscal year.